



PATENT *IFW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 04-105 (400/146))

In the Application of:

James McSwiggen

Serial No.: 10/783,128

Filing Date: February 20, 2004

For: RNA INTERFERENCE MEDIATED
TREATMENT OF POLYGLUTAMINE
(POLYQ) REPEAT EXPANSION DISEASES
USING SHORT INTERFERING NUCLEIC
ACID (siNA)

Examiner: TBD

Group Art Unit: 1614

Confirmation No.: 2611

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

- ☒ Third Supplemental Information Disclosure Statement;
- ☒ Third Supplemental Information Disclosure Statement (IDS) PTO-1449 Form;
- ☒ Copies of IDS Citations for S/N 10/783,128 (Total 2 foreign patent and 3 other documents); and
- ☒ Return Receipt Postcard.

2. With respect to additional fees, enclosed is a check for \$180.00.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on December 15 2005

By:

Anita J. Terpstra
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Reg. No. 47,132

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THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Third Supplemental Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. A partial recitation of the priority claim is as follows. This application is a continuation-in-part of U.S. Patent Application No. 10/757,803, filed January 14, 2004, which is a continuation-in-part of U.S. Patent Application No. 10/720,448, filed November 24, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/693,059, filed October 23, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/444,853, filed May 23, 2003 and a continuation-in-part of 10/652,791, filed August 29, 2003, which is a continuation of 10/422,704, filed April 24, 2003, which is a continuation of U.S. Patent Application No. 10/417,012, filed April 16, 2003. This application is also a continuation-in-part of US Patent Application No. 10/427,160, filed April 30, 2003. All of the applications recited herein are relied upon for an earlier filing date under 35 U.S.C. § 120.

The Office has amended the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications. See 69 Fed. Reg. 56481. In accordance with this amendment, cited U.S. patents and U.S. patent application publications are not enclosed.

This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants enclose the fee of \$180.00 pursuant to 37 C.F.R. 1.17(p) for this filing. The Commissioner is hereby authorized to charge or credit Deposit Account Number 13-2490 for any under- or over-payment of fees associated with the papers transmitted herewith, or to credit any overpayment of same.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: December 15, 2005

By:

Anita J. Terpstra
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FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

Serial No.

04-105
(400/146)

10/783,128

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Applicant:

James McSwiggen

Filing Date:

February 20, 2004

Group:

1614

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	1.	00/21560	04/20/00	WO (Alitalo et al.)				
	2.	05/078097	08/25/05	WO (Jadhav et al.)				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	3.	Hasan et al., "VEGF antagonists," <i>Oncologic, Metabolic & Endocrine</i> , 703-718 (2001)
	4.	International Search Report for PCT/US2005/006661 mailed October 24, 2005
	5.	Liu et al., "Specific inhibition of Huntington's disease gene expression by siRNAs in cultured cells," <i>Proc. Japan Acad.</i> , 79, Ser. B, 293-298 (2003)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.